

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 14802 of 2022

Sushanta Kumar Mandal and Others ***Petitioners***

Mr. Prakash Kumar Beura, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. S. Patra, ASC

Mr. Sarat Kumar Jena, Advocate-Informant

**CORAM:
JUSTICE CHITTARANJAN DASH**

ORDER
22.12.2022

Order No.

- 02.
1. Heard learned counsel for the Petitioners and the State.
 2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioners in apprehension of arrest for their alleged involvement in the offences under Sections 342/323/365/506/34 of IPC of IPC.
 3. Learned counsel for the Petitioners submits that the alleged incident is arising out of a political rivalry and that the present Petitioner No. 1 has been engaged a Sikshya Sahayak in Bhajakhia Primary School under Erasama Block and there is no criminal antecedent against him.
 4. Learned counsel appearing for the Informant submits that the present Petitioner is a hooligan and engaged in extracting money from the people under different plea. It is further submitted that the imposition of fine by 'village Panch' is illegal act and the present

Petitioner being in the helm of FIR by the said 'Panch' is responsible for the alleged incident and no manner of leniency should be shown to him while considering the anticipatory bail.

5. The FIR allegation goes to show that the son of the Informant was kidnapped and was confined for almost a month besides a sum of ₹5000.00 to be imposed by him as against the alleged theft or prawn. The act is allegedly is not only serious but also heinous. The Imposition of fine of ₹5000.00 by the so called 'Panch' is an act unknown to the law speaks high handedness of the 'Panch' by the Petitioners is one of the members.

6. Learned counsel for the State as well as learned counsel for the Informant submits that the Petitioner No. 1 has been taken out his employment for having engaged by procuring fake document. However, the act alleged involved is a moral turpitude and this court is not inclined to grant anticipatory bail to the Petitioners. More so, when the other two persons have since been taken into custody. Accordingly the prayer for bail stands rejected and the ABLAPL is dismissed.

(Chittaranjan Dash)
Judge

B.K Sahoo/AKPradhan